

IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

SHANNON D. YOUNG )  
 )  
v. ) NO: 3:12-0009  
 )  
REUBEN HODGE, et al. )

**O R D E R**

Presently pending before the Court is the plaintiff's motion (Docket Entry No. 115) for an extension of time to respond to the motions for summary judgment filed by Defendant Steve Cernawsky (Docket Entry No. 104) and Defendants Thomas Vance and Ed Davis (Docket Entry No. 109).

The plaintiff's motion for an extension is GRANTED. The plaintiff's argument that he should have an opportunity to engage in discovery prior to filing his response to the motions for summary judgment is persuasive to the Court.<sup>1</sup> As set out in the scheduling order (Docket Entry No. 98), the deadline for the completion of discovery and the filing of any discovery motions is May 10, 2013. Accordingly, the plaintiff shall have until June 10, 2013, to file his response to the Defendants' pending motions for summary judgment. The plaintiff is advised that a failure to respond to the motions for summary judgment may result in a recommendation that these defendants be dismissed from the action.

The Order entered March 1, 2013 (Docket Entry No. 112), that gave the Plaintiff a deadline of April 12, 2013, to file a response to the motion of Defendant Cernawsky is accordingly vacated.

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<sup>1</sup> The plaintiff also argued that an extension should be granted because he had requested the appointment of counsel and the appointment of an expert witness. By Order entered February 27, 2013 (Docket Entry No. 107), the Court denied the plaintiff's motion for such appointments.

In light of the pending motions for summary judgment, the evidentiary hearing set for July 18, 2013, is CANCELLED.

Any party desiring to appeal this Order may do so by filing a motion for review no later than fourteen (14) days from the date this Order is served upon the party. The motion for review must be accompanied by a brief or other pertinent documents to apprise the District Judge of the basis for appeal. See Rule 72.02(b) of the Local Rules of Court.

So ORDERED.



JULIET GRIFFIN  
United States Magistrate Judge